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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,049	07/07/2003	Warren Keith Edwards	PARC-DA2079	9791

35699   7590   05/13/2009
PVF -- PARC
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EXAMINER
ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
2455	

NOTIFICATION DATE	DELIVERY MODE
05/13/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto-incoming@parklegal.com

	Application No.	Applicant(s)
Office Action Summary	10/616,049	EDWARDS ET AL.
	Examiner	Art Unit	
	SHAWKI S. ISMAIL	2455	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>29 January 2009</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-3,5-13,15-23 and 25-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-3,5-13,15-23 and 25-32</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

RESPONSE TO AMENDMENT

1.   This communication is responsive to the amendment received on January 29, 2009.

        Claims 1, 11, 21 and 31 have been amended.

        Claims 1-3, 5-13, 15-23, 25-32 are pending further examination.

The New Grounds of Rejection

2.   Applicant's amendment and arguments received on January 29, 2009 have been fully

considered, however they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability
> shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3, 5-13, 15-23, and 25-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Atkinson et al.,** (hereinafter referred to as Atkinson) U.S Patent Publication

No. **2002/0012329 A1** in view of **Hamilton, II et al.,** (hereinafter referred to as Hamilton) U.S.

Patent No. **7,107,330 and further in view of "Design with dynamic extension"** by Bill

Venners, JavaWorld.com January 01, 1999 (hereinafter referred to as Dynamic extension

document).

5.   As to claim 1, Atkinson teaches a method that facilitates dynamic delivery of service

profiles to a client, comprising:

performing a discovery operation to allow the client to discover new services on a network (refer to Fig. 10, paragraph 0102, step 172 for example, wherein a phone discovers print service in range);

if a new service is discovered for which the client does not possess a service profile, wherein the service profile specifies how to use the new service (refer to Fig. 10, paragraph 0102, step 173 for example, wherein the phones gathers print service information-print profile);

wherein causing the client to obtain the service profile involves:

causing the client to obtain the service profile from the new service (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).;

causing the service profile to be installed on the client to enable the client to use the new service (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).

wherein the service profile includes a specification that describes how to use the new service, and wherein causing the service profile to be installed on the client involves (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).

causing code to be generated to implement the specification (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).), and

causing the code to be installed on the client (refer to Fig. 10, paragraph 0102, steps 175 and 180 for example, wherein the printer send the profile and driver to be installed on the phone).

Atkinson teaches the claimed invention as discussed above. Atkinson does not explicitly teach wherein the service profile is retrieved based on the type of device platform of the client, causing the service provider to select the service profile based on the received type information of the client and causing device-specific code to be generated to implement the specification and to be installed on the client device.

Hamilton teaches a data processing system including a server computer system coupled to multiple client computer systems for permitting the server to distribute a device driver to the client computer systems which are each executing a different operating system. Hamilton further teaches distributing a device driver to multiple client computer systems, each executing a different operating system, by copying one of a plurality of different executable versions of the device driver to a client and causing the client to install the version on the client (refer to abstract).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Hamilton into the invention of Atkinson in order to enable a provider to customize the drivers and code that it sends to the client device based on the capabilities of the client device. This enables device-specific drivers and software to be installed on the client device to facilitate communication with an intended device.

Atkinson in view of Hamilton fail to explicitly teach wherein the service profile is a dynamic extension profile, which allows the client to dynamically acquire other service profiles when they are needed.

Dynamic extension document teaches the advantage of one of the more interesting design opportunities made possible by Java's linking model: dynamic extension Java's architecture enables you to write programs that dynamically extend themselves at runtime. Java programs can dynamically extend themselves by choosing at runtime classes and interfaces to load and use. Dynamic extension means that at compile time, you don't necessarily need to know about all the classes and interfaces your program will use at runtime. In fact, some of those classes and interfaces may not even exist when you do your compile.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teachings and advantages of Dynamic extension into the systems of Atkinson and Hamilton. Updated code and other code needed and required would be loaded and gathered through the extensibility of current existing code and programs through the use Dynamic extensions.

6.   As to claim 2, Atkinson teaches the method of claim 1, wherein causing the client to obtain the service profile involves: causing the client to send a request for the service profile to the service provider; and causing the client to receive the service profile from the service provider of the new service (refer to Fig. 10, paragraph 0102).

7.   As to claim 3, Atkinson teaches the method of claim 1, wherein the service profile includes code, and wherein causing the service profile to be installed on the client involves causing the code to be installed on the client (refer to Fig. 10, paragraph 0102).

8.   As to claim 5, Atkinson teaches the method of claim 1, wherein the service profile is

encoded in a universal form that can be executed by different types of clients (paragraph 0023

and 0064).

9.   As to claim 6, Atkinson teaches the claimed invention as discussed above. Atkinson does

not explicitly teach wherein the service profile is retrieved based on the type of device platform

of the client, causing the service provider to select the service profile based on the received type

information and causing device-specific code to be generated to implement the specification and

to be installed on the client device.

       Hamilton teaches a data processing system including a server computer system coupled

to multiple client computer systems for permitting the server to distribute a device driver to the

client computer systems which are each executing a different operating system. Hamilton further

teaches distributing a device driver to multiple client computer systems, each executing a

different operating system, by copying one of a plurality of different executable versions of the

device driver to a client and causing the client to install the version on the client (refer to

abstract).

       It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to incorporate the teaching of Hamilton into the invention of Atkinson in order to

enable a provider to customize the drivers and code that it sends to the client device based on the

capabilities of the client device. This enables device-specific drivers and software to be installed

on the client device to facilitate communication with an intended device.

10.   As to claim 7, Atkinson teaches the method of claim 1, wherein causing the client to

obtain the service profile from the new service involves executing a dynamic extension profile,

which implements a standard protocol that enables the client to acquire any profile the client

needs at the time the profile is needed (refer to discussion of Dynamic extension in claim 1).

11.   As to claim 8, Atkinson teaches the e method of claim 1, wherein performing the

discovery operation involves using the Bluetooth Service Discovery Protocol (SDP); and

wherein the client and the new service communicate using the Bluetooth networking standard

(refer to Fig. 10, paragraph 0102).

12.   As to claim 9, Atkinson teaches the method of claim 1, wherein the service profile can

define a service-specific Application Programming Interface (API) (refer to Fig. 10, paragraph

0102).

13.   As to claim 10, Atkinson teaches the method of claim 1, wherein the service profile

implements a domain-specific protocol stack associated with the new service (refer to Fig. 10,

paragraph 0102).

14.   Claims 11-13, 15-23, 25-32 do not teach or further define any limitations above claims 1-

3 and 5-10, therefore, they are rejected for similar reasons.

Response to Arguments

15.   Applicants' arguments with have been fully considered, however, they are deemed to be

moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawki S Ismail/
Examiner, Art Unit 2455
May 10, 2009